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ACTION ARA-15

CP37

INFO OCT-01 ADS-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 PA-01 SP-02 SS-15 HA-05 TRSE-00
IO-14 AID-05 EB-08 SIL-01 NSCE-00 SSO-00 ICAC-00
INRE-00 COM-02 LAB-04 /092 W

O R 042142Z MAY 79
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 0497
INFO AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY LA PAZ
AMEMBASSY MONTEVIDEO
USUN NEW YORK 0947
AMEMBASSY SANTIAGO
USCINCSO QUARRY HTS CZ

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (X) In Full

() Classify as () Extend as () Downgrade to

Date Declassify on Reason

[REDACTED] SECTION 1 OF 2 BUENOS AIRES 3553

C O R R E C T E D C O P Y F O R T E X T

E.O. 12065 XDS-4 5-3-99 (CHAPLIN, MAXWELL) OR-M
TAGS SHUM, AR
SUBJECT (U) HUMAN RIGHTS SUMMARY - MAY 3, 1979

REF: BUENOS AIRES 3314

1. SUMMARY. THIS WAS AN ACTIVE WEEK OF THE HUMAN RIGHTS FRONT. ON THEUS SIDE OF THE LEDTER WERE REPORTS THAT THE BARREIRO'S WHO WERE ABDUCTED IN MARCH ARE ALIVE AND THAT THE EMBASSY INTERVENTION MAY HAVE BEEN HELPFUL IN THE REAPPEARANCE OF THREE YOUNG PST MEMBERS. ON THE NEGATIVE SIDE WERE REPORTS OF THE DISAPPEARANCE OF JULIO CESAR ABRUZZESE AND THELMAN DOROTY JARA DE CABEZAS, THE LATTER BEING A KEY MEMBER OF A LOCAL HUMAN RIGHTS ORGANIATIONS. (SEE BUENOS AIRES 3495). ADMINISTRATIVE ACTION BY A GOVERNMENT COMMISSION CONFISCATING JACOBO TIMERMAN'S INTEREST IN THE LA OPINION

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NEWSPAPER AND ITS PRINTING PLANT AND AN APARTMENT AND LAST WEEK'S DECISION NOT TO RELEASE OR MOVE THE EXPEL THE FORMER PUBLISHER LENGTHY AFFAIR ONE MORE STEP. AN IMPATIENT GOA REFLECTED IN A PROTEST OVER THE STATEMENTS OF THE DEAPRTMENT'S SPOKESMAN ON THE ARREST OF UNION LEADERS IN ARGENTINA (BUENOS AIRES 3451) AND IN THE ARGENTINE EMBASSY IN WASHINGTON3S ISSUGING AN ANNOUNCEMENT BLAMING THE LAKC OF RESULTS IN THE RIGHT OF OPTION PROGRAM ON BUREAUCRATIC DELAYS DUE TO US LEGISLATION. END SUMMARY.

2. (U) PEN STATUS CHANGES---

THE LOCAL NEWSPAPERS ON APRIL 28 ANNOUNCED THAT 23 PERSONS HAD BEEN REMOVED FROM PEN EJECUTIVE NACIONAL (PEN) BY THE MINISTRY OF INTERIOR, WHILE ANOTHER TWELVE PASSED TO "SUPERVISED LIBERTY" BUT ARE STILL UNDER THE PEN.

AMONG THE PERSONS LISTED ARE THREE CASES OF US INTEREST:

298-78-2 BAZAN, FEDERICO VICTOR, CEASED PEN. AMN INTL LONDON
272-78-1, POLLANO, HUMBERTO PRIMO, CEASED PEN, DEPT STATE
912-79-4, LOPEZ FORESTIER, LEOPOLDO, SUPERVISED FREEDOM, STILL UNDER PEN, BAR ASSOC OF CITY OF NY
(WE DO NOT HAVE INFORMATION WHETHER BAZAN AND POLLANO HAVE BEEN RELEASED OR CONTINUE BEING DETAINED BY JUDICIAL OR MILITARY AUTHORITIES.)

OF THE 35 PERSONS LISTED IN THE NEWSPAPER ANNOUNCEMENT THE FOLLOWING ALSO FIGURE IN OUR HUMAN RIGHTS FILES, ALL LISTED AS PEN PRISONERS:

AMMANN, SUSANA CARMEN
CUCCO, JUAN EMILIO

[REDACTED]

[REDACTED]

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ESPER, GABRIEL HORACIO
SALAS, RICARDO
SILVA, JUAN RICARDO
VARILLA DE PERRACCHIONI, ADRIANA
ZENIQUEL DE URANGA, MARGARITA ISABEL
UNDER SUPERVISED FREEDOM, BUT STILL UNDER PEN:
ACEVAL, HERMENDEGILDO
CASTELLINI, MIRTA ISABEL

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ACCORDING TO OUR ACCOUNTING OF THE PEN STATISTICS RELEASED PUBLICLY BY THE MINISTRY OF INTERIO THERE ARE CURRENTLY 2,490 PERSONS UNDER PEN, NOT INCLUDING THE 21 LABOR LEADERS WHO WERE RECENTLY PLACED UN THE PEN.

3. [REDACTED] EVIDENCE FOR IACHR---
IN MID-1978 SECURITY FORCE ABDUCTED
LVERSIVES BEGAN
FCING UNDER THE JURISDICTION OF THE MILITARY
COURT SYSTEM INSTEAD OF BEING PLACED UNDER PRESIDENTIAL
PEN DECREES, WHICH ARE MATTERS OF PUBLIC RECORD. A
NUMBER OF THESE CASES HAS NOW BEEN DISMISSED BY THE
MILITARY COURTS AND THE RECORDS BEING TURNED OVER OTO
CIVILIAN JUDICIAL AUTHORITIES FOR PROSECUTION. PERMANENT
ASSEMBLY SOURCES REPORT THAT MANY OF THESE CASES,
ORIGINALLY UNDER MILITARY JURISDICTION, SHOW THE DATE
OF MILITARY DETENTION AS THE DATE OF THE CLANDESTINE
ABDUCTION OF THE INDIVIDUAL. UNDER THE FORMER PEN
PROCEDURE, THE PERIOD OF CLANDESTINE DETENTION WAS
NEVER JUDICIALLY RECOGNIZED--THE ABDUCTED PERSON
WAS CONSIDERED TO BE "OUTSIDE OF SOCIEYT." LEGAL
RECOGNITION BEGAN ON THE DATE OF THE PRESIDENTIAL PEN
DECREE. THE MILITARY COURT RECORDS, ACCORDING TO

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O R 042142Z MAY 79
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USUN NEW YORK 948

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AMEMBASSY SANTIAGO
USCINCSO QUARRY HTS CZ

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PERMANENT ASSEMBLY SOURCES, CLARIFY THE OFFICIAL NATURE OF THE CLANDESTINE ANTI-SUBVERSIVE PROGRAM. THESE CASES ARE BEING COLLECTED FOR PRESENTATION TO IACHR.

4. [REDACTED] U.S. INTEREST CASES RESURFACE --
ROBERTO MARCELO BARREIRO'S MOTHER REPORTED TO THE EMBASSY ON MAY 3 THAT SHE HAD RECEIVED A SHORT TELEPHONE CALL FROM HER DAUGHTER-IN-LAW MARIA ROSA ON APRIL 28. HER DAUGHTER-IN-LAW INFORMED HER THAT SHE AND HER HUSBAND WERE WELL AND THAT THERE WOULD SOON BE NEWS. MR. BARREIRO'S MOTHER HAS NO FURTHER INFORMATION. THE EMBASSY REPORTED THE DISAPPEARANCE OF MR. AND MRS. BARREIRO (SEE BUENOS AIRES 2737) TO ARGENTINE OFFICIALS IMMEDIATELY AFTER THEIR MARCH 12TH ABDUCTIONS. ARMY SOURCES REPLIED THAT THE COUPLE WAS NOT HELD BY THE ARMY FIRST CORPS AND THAT AN INVESTIGATION WOULD BE MADE INTO POLICE OPERATION.

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PARTIDO SOCIALISTA DE TRABAJADORES (PST) --
REPRESENTATIVE THIS LAST WEEK THANKED THE EMBASSY FOR OUR INTERVENTION ON BEHALF OF THREE YOUNG PARTY MEMBERS WHO WERE PICKED UP ON MARCH 24, 1979 IN A BUENOS AIRES SUBURB. THE THREE RESURFACED SIX DAYS LATER AT A POLICE STATION WHOSE OFFICIALS HAD DENIED TWICE THAT THE YOUNG MEN WERE BEING HELD THE DAY FOLLOWING AMBASSADOR CASTRO'S INTERVENTION. THE PST MEMBERS REPORTED THAT THEY WERE HELD AND ROUGHLY INTERROGATED AT THE TIGRE POLICE STATION, BUT NOT TORTURED. ONE HAS BEEN FREED AND TWO ARE OUT ON BAIL CHARGED WITH ILLEGAL POLITICAL ACTIVITY.

5. (U) PRISONERS REPORTED MISTREATED DURING TRANSFER --
PERMANENT ASSEMBLY SOURCES REPORT THAT A NUMBER OF THE APPROXIMATELY 200 PRISONERS RECENTLY MOVED FROM RESISTENCIA PRISON TO THE LA PLATA PRISON WERE BEATEN DURING THE TRANSFER AND HAD ALL THEIR PERSONAL POSSESSIONS STOLEN.

6. (U) TREATMENT OF PRISONERS --

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AN EDITORIAL IN LA NACION DECLARED THAT PEOPLE BEING HELD WHILE AWAITING TRIAL DO NOT GET A FAIR DEAL, "AS THOUGH NY DETAINEE WAS CONSIDERED TO BE GUILTY UNTIL HE PROVED HIS INNOCENCE." NACION URGED THE AUTHORITIES TO SHOW "RESPECT FOR PEOPLE UNDER TRIAL" AND BLAMED "DEFECTIVE INFRASTRUCTURE" FOR "FREQUENT CONFUSION BETWEEN SENTENCED PARTIES AND PEOPLE WHO ARE MERELY UNDER CHARGE."

7. (U) TRIALS --

A PRESS REPORT DATED MENDOZA DESCRIBED THE TRIAL OF SEVEN POLICEMEN FOR ILLEGALLY ARRESTING EIGHT YOUTHS IN 1977 AND SUBMITTING THEM TO "BRUTAL TREATMENT."

8. (U) ANOTHER PCR DETAINEE FREED--

[REDACTED]
[REDACTED]

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BUENOS AIRES HERALD REPORTED ON MAY 2 THAT DR. MIGUEL BERESTEIN WAS ORDERED FREED FROM PRISON ON APRIL 23. DR. BERESTEIN WAS ONE OF THE GROUP OF ABOUT 30 PEOPLE ABDUCTED IN A LARGE OPERATION WHICH BEGAN ON EASTER SUNDAY 1978 DIRECTED AGAINST THE PARTIDO COMUNISTA REVOLUCIONARIO MEDICAL ACTION PROGRAM IN A WORKERS' COMPLEX IN SAN JUSTO.

DR. BERESTEIN'S CASE AND THAT OF SIX OTHER PCR WERE EARLIER DISMISSED BY THE FIRST CORPS MILITARY TRIBUNAL FOR LACK OF PROOF OF SUBVERSIVE ACTIVITIES. DR. BERESTEIN HAS NOW REPORTEDLY BEEN FREED.

9. (-XDS-4) DEATH OF DESAPARECIDO REPORTED--

SEVERAL MOTHERS OF THE PLAZA DE MAYO INFORMED THE EMBASSY THAT THE FAMILY OF CESAR AMADEO LUGONES (STRICTLY PROTECT) HAS UNOFFICIALLY LEARNED FROM AN ARMY SOURCE THAT THEIR SON, A 26 YEAR OLD VETERINARIAN WHO WAS ABDUCTED ON MAY 14, 1976, WAS REPORTED KILLED IN NOVEMBER, 1978. ACCORDING TO THE LUGONES' A FAMILY CONTACT IN THE ARMY RECENTLY PUT FORWARD A REQUEST TO INTERROGATE CESAR LUGONES. THIS ARMY CONTACT RECEIVED A REPLY TO "TAKE HIM OFF THE LIST AS OF NOVEMBER, 1978" (DARLO DE BAJA). THIS IS THE FIRST REPORT THE EMBASSY HAS RECEIVED OF THE ARMY'S CAPABILITY TO RETRIEVE THIS KIND OF INTELLIGENCE. WE HAVE RECEIVED REPORTS THAT A SYSTEM EXISTS, BUT THIS IS THE FIRST REPORT OF THE SYSTEM IN OPERATION.

10. [REDACTED] MOTHERS OF THE PLAZA DE MAYO --

THE MOTHERS OF THE PLAZA DE MAYO CONTINUE TO MEET EACH

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THURSDAY AT DIFFERENT PLAZAS IN THE CITY OF BUENOS AIRES.

THE REFUSAL SOME WEEKS AGO BY THE PERMANENT ASSEMBLY TO ALLOW THE MOTHERS TO USE OFFICE SPACE WITHIN THE NEW ASSEMBLY HEADQUARTERS HAS ENCOURAGED SOME OF THE MOTHERS TO PUSH FOR A MORE FORMAL ORGANIZATION, REGULAR SOLICITATION OF FUNDS AND THE RENTING OF OFFICE SPACE WITHIN THE CITY OF BUENOS AIRES. THE MOTHERS RAN AN EIGHTH PAGE AD IN THE MAY 4 EDITION OF LA NACION ASKING INTER ALIA "WHERE ARE THE DISAPPEARED?",

[REDACTED]

[REDACTED]

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"WHO HAS JUDGED THE MANY MISSING MEN AND WOMEN?", "WHAT PENALTY DID THEY DESERVE?".

ON MAY 3, A PRIEST AT THE CHURCH OF NUESTRA SENORA DE POMPEYA, HELD A SPECIAL MASS FOR THE MOTHERS. THE PRIEST PREACHED ABOUT THE REPRESSION AGAINST THE CLERGY AND THE YOUNG PEOPLE OF ARGENTINA AND CALLED ON THE MOTHERS TO CONTINUE THEIR WORK. CHAPLIN

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